

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: Angela S. Fanelli	Case No. 24-11226-amc Chapter 13
Wells Fargo Bank, N.A., Movant	
vs.	
Angela S. Fanelli , Debtor	

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 AMENDED PLAN**

Wells Fargo Bank, N.A. ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Amended Plan* (Doc 37), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on April 11, 2024.
2. Movant holds a security interest in the Debtor's real property located at 5981 Atkinson Road, New Hope, PA 18938 (the "Property"), by virtue of a Mortgage.
3. Movant filed a Proof of Claim in this case on May 2, 2024 (Claim No. 4) which lists a total debt of \$244,352.22.
4. The Debtor filed a Chapter 13 Amended Plan (the "Amended Plan") on August 15, 2024 (Doc 37) that provides for sale of the Property.
5. Movant's position is that it holds a valid secured lien on the property and that any sale of the property must payoff Movant's lien in full from the sale proceeds. If the sale does not occur, then the debtor needs to amend the Amended Plan to indicate how Movant's claim will be

cured.

6. Movant objects to the confirmation of the Debtor's proposed Chapter 13 when no funds are being tendered to Movant and there is no alternative treatment addressing Movant if the Property is not sold.

7. Therefore, the Amended Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Amended Plan unless such Amended Plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Ryan Starks

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

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Chapter 13

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Movant

vs.

Angela S. Fanelli ,
Debtor

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 AMENDED PLAN has been electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

ZACHARY PERLICK, Debtor's Attorney
1420 Walnut Street
Suite 718
Philadelphia, PA 19102
Perlick@verizon.net

KENNETH E. WEST, Bankruptcy Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

Office of the U.S. Trustee, US Trustee
Robert N.C. Nix Federal Building
Suite 320
Philadelphia, PA 19107

Via First Class Mail:

Angela S. Fanelli
5981 Atkinson Road
New Hope, PA 18938

Date: August 27, 2024

/s/Ryan Starks

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